

Date: Thu, 10 Nov 94 04:30:11 PST
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
Precedence: List
Subject: Ham-Policy Digest V94 #525
To: Ham-Policy

Ham-Policy Digest Thu, 10 Nov 94 Volume 94 : Issue 525

Today's Topics:

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>
Problems you can't solve otherwise to brian@ucsd.edu.

Archives of past issues of the Ham-Policy Digest are available
(by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

We trust that readers are intelligent enough to realize that all text
herein consists of personal comments and does not represent the official
policies or positions of any party. Your mileage may vary. So there.

Date: 8 Nov 1994 21:11:28 GMT
From: hanko@wv.mentorg.com (Hank Oredson)

References<1994Nov2.032455.26815@news.csuohio.edu>
<39b9ag\$tk@hpbab.wv.mentorg.COM>, <CSLE87-071194095342@145.39.1.10>
Reply-To: Hank_Oredson@mentorg.com
Subject: Re: NoCal 00 goes after Packet BULletins

I hate "debating" with folks ignorant of what they speak,
but this garbage needs to be refuted WHENEVER it comes up ...

In article <CSLE87-071194095342@145.39.1.10>, CSLE87 (Karl Beckman) writes:
|> In article <39b9ag\$tk@hpbab.wv.mentorg.COM>, hanko@wv.mentorg.com (Hank
|> Oredson) wrote:
|>
|> > In article <1994Nov2.032455.26815@news.csuohio.edu>, sww@csuohio.edu (Steve
Wolf) writes:
|> > |> Hank Oredson (hanko@wv.mentorg.com) wrote:
|> > |> : Nope, because AX.25, by it's very nature, is not used for one-
|> > |> : way communications. Oh yes, you might say, it COULD be
|> > |> : (there are UI frames!), but it's not.
|> > |> :
|> > |> :

|> > |>
|> > |> But is is broadcasting none the less.
|> > |>
|> > |> I think it was Todd Little that that quoted the definition of
broadcasting.
|> > |>
|> > |> From Part 97.3(a) ... (10) ... Broadcasting - Transmissions intended for
|> > |> reception by the general public, either direct or relayed.
|> >
|> > Steve, try real hard here ... read the above ... about "transmissions"
|> > and "general public" and "intended". Give it a shot, you can probably
|> > figure out what those words mean.
|> >
|> > |>
|> > |> Clearly, a BBS phone port with an anonymous check-in allows the public
|> > |> access to relayed transmissions. There are LOTS of phone ports that
|> > |> allow anonymous check-ins.
|> >
|> > Wrong. It allows the public (if the sysop so chooses) access to some
|> > files on a computer. Has nothing (zilch, zip, nada) to do with
|> > "transmissions" or "broadcasting" or for that matter "radio", not to
|> > mention "amateur radio".
|> >
|> > Try really hard Steve, this is NOT rocket science.
|> > The words really do mean just what they say. Amazing!
|> >
|> > |> So, originators of bulletins which are sent by any means to a BBS that has
|> > |> a public phone port that are not about amateur radio would fall under
|> > |> broadcasting.
|> >
|> > Would you like to run this by me again?
|> >
|>
|> It's not that difficult a concept, Hank. Internet conversations which are
|> being run over amateur radio are true "broadcasting", exactly as defined by
|> the FCC. Those transmissions are not considered legal by the FCC field
|> officer who generated the opinion quoted in the original (long time back)
|> posting.

Is that so? How does it become "broadcasting"?

When your station transmits it to the general public, how does your
station DO that? On what frequency? Using which mode?

Just because an FCC field officer (or me, or you, or any other individual)
says something is so, does not make it so. The rules ARE what they
are, read them and make a real attempt to understand them.

|>
|> > |> Broadcasting does not require a one-way transmission. It would appear that
|> > |> an ax.25 connection between two stations can still be use for
broadcasting.
|> >
|> > Um, how could that happen?
|>
|> The mere fact that an amateur station requested the transmission does not
|> automatically make it legal. Nor does it automatically convert a message
|> posted to "WORLD" on the net into a valid amateur to amateur communication.
|> Remember the recent FCC blurb that holds the operator of the "first
|> posting" entry point station responsible for message content and
|> compliance.

Is that so? Would you please quote where it says this in the rules.

Remember, we are NOT talking about messages with illegal content here
(that is a separate issue, easily understood from the rules).
We are talking about "broadcasting", which is NOT done by any packet
stations now in existence.

|>
|> >
|> > Steve, you are REAL confused here. Go back to the definitions section
|> > of part 97, and read that first. Make some notes on what the various
|> > technical terms ("transmissions", "broadcasting", "transmitted")
|> > mean, then read the above again.
|> >
|> > |> (Bet we are going to move on and say that a bulletin about quilting was
|> > |> targeted solely at the amateur population. Let me guess ... ANY bulletin
|> > |> entered on packet is to be assumed to be aimed solely at the amateur radio
|> > |> population.)
|> >
|> > Ah! You have GOT it at last!
|> >
|> > Who ELSE would an amateur station transmit this information to?
|> > In fact, it would not be legal for an amateur station to transmit
|> > this information to anyone BUT another ham.
|>
|> Hank, this is NOT true when you start allowing cross-connection to the
|> general public by using either an internet gateway or even phone dial ports
|> to an amateur BBS. I believe that these are the situations that both the
|> NOCALL 00 and Steve are addressing. From your comments it appears that IN
|> THIS NARROW SITUATION (and most certainly NOT the broader general case of
|> ALL amateur packet traffic) you would agree that Steve and the FCC are both
|> correct.

Are they? Please quote where they said this.

What you mention above is issues of CONTENT only.

All the radio communications involved are between pairs of amateurs who are in QSO. Whether the content is 3rd party or not, there is no "broadcasting" nor any "general public" involved.

|>
|> Obviously the first target above is debatable; the second is a case where
|> the rulemaker is being challenged, much like a small mouse antagonizing an
|> elephant. That is probably not a good thing to do unless one wants to be
|> stepped upon and find the transmission of all non-amateur originated
|> broadcast messages prohibited, which is exactly what 97.3 says.

The FCC has said nothing on this topic. Someone who happens to work for the FCC gave an opinion, and that is all that has happened. The opinion was given about a totally different topic ("broadcasting") which we are NOT discussing here, since no "broadcasting" takes place.

|>
|> >
|> > By "targeted" you probably mean exactly the same thing that the FCC
|> > means with the term "intended" in part 97.3
|> >
|> > Simple, isn't it?
|> >
|> > I'm still curious what you are attempting to accomplish with the
|> > arguments you are making. What's your agenda?
|> >
|> > ... Hank
|> >
|> >
|> > --
|> >
|> > Hank Oredson @ Mentor Graphics Library Operations
|> > Internet : hank_oredson@mentorg.com "Parts 'R Us!"
|> > Amateur Radio: WORLI@WORLI.OR.USA.NOAM
|>
|> I must side with Steve on the specific narrow case that I presented above.
|> I am afraid that many within the amateur community have greatly over-stated
|> their perceived importance in being part of the Information Superhighway,
|> while the commercial providers feel that we are only a back alley. If the
|> FCC takes away our interchange (both figurative and literal) we will have
|> neither advanced the state of the art or served the public interest.

The FCC cannot "take away our interchange" since it has nothing to do with ham radio, nor with the internet, but simply has to do with what some hams

choose to submit to the ham radio network - i.e. to tell to some station they are in QSO with. Try real hard now, and you can perhaps understand this. For example, if I'm in QSO with you, and tell you "I heard on CNN that there was a major quake in the Atlanta area." it is NOT "broadcasting" the intent it NOT to distribute that information to the general public, and it is not (yet) 3rd party traffic. Whether I got the information by watching CNN, reading usenet news, perusing a LL BBS, or eavesdropping on my neighbors makes NO difference at all. What YOU do with the information is your business, and yours only.

Note that the recent change in the rules LOOSENS the requirements, not TIGHTENS them. The rule change has the following effect: if the FCC gives me a ticket for transmitting profanity from my packet station, and it the message containing the profanity did not originate at my station, but was forwarded to me during my operation as part of a network of cooperating stations, THEN I can use the defense of "not my fault", and win. Prior to the change in rules, such a defense was not available to me.

Is this really so hard to grasp?

What are "you folks" trying to do here, anyway? Shut down the digital networks by spewing forth quasi-legal sounding scare messages?

Tell us about your agenda ...

... Hank

--

Hank Oredson @ Mentor Graphics	Library Operations
Internet : hank_oredson@mentorg.com	"Parts 'R Us!"
Amateur Radio: W0RLI@W0RLI.OR.U.S.A.NOAM	

Date: 8 Nov 1994 05:37:16 GMT
From: billsohl@earth.planet.net (Bill Sohl Budd Lake)

References<38rm5k\$3hb@crcnis1.unl.edu> <1994Nov2.022732.8616@ke4zv.atl.ga.us>,
<CytDzo.9Bp@news.Hawaii.Edu>
Subject: Re: Speed limits (was: Kindness and ham radio)

Jeffrey Herman (jeffrey@kahuna.tmc.edu) wrote:
: In article <1994Nov2.022732.8616@ke4zv.atl.ga.us> gary@ke4zv.atl.ga.us (Gary
Coffman) writes:

: >Ah, but that's where you move off into fantasyland. Since most
: >people *don't* obey the arbitrarily low speed limits, how do you
: >propose to make them change?

: And if the posted speed limit was 75 everyone would be driving 85. We're
: going to push the speed limit no matter what it is.

That is flat out false. I've driven extensively in states with
65mph limits and the average speed (e.g. on I-81 in VA) don't exceed
70mph, with a considerable number of vehicle traveling at the 65 limit.
Does that mean that some people still travel 85? Sure they do and they
do that everywhere now.

: If you want to hire nationwide road crews to insure there are no mattresses,
: mufflers, animal carcasses and other debris on *all* highways so no
: sudden swerving nor quick breaking actions are necessary, *and* place
: an upper age limit on highway driving (since the older folks' reaction
: times are diminished), *and* give life terms to those who drive while
: under the influence of alcohol or drugs (life terms since if they
: do it once they'll certainly do it again), *and* meter all onramps,
: *and* place an upper limit on the number of vehicles on the roads
: at any given time since there is only a finite number of highway
: miles and we're supposed to remain one carlength for every 10mph
: behind others, *and* control the climate so as to insure no ice nor
: rain runoff mixed with oil byproducts nor high winds (California's
: Grapevine comes to mind) exist, *and* _____ (someone
: else continue this very long sentence), *then* maybe you can discuss
: higher speed limits.

The vast majority of vehicle deaths and injury do NOT even happen on
highways...they happen on local roadways, intersections, etc.
I'd rather face the very limited increased exposure to an accident
on an Interstate at 70mph than on a two lane with a 55 limit.

: >The interstates were designed for a 70 MPH speed with 1950s vehicles
: >and suspensions.
: >That's reflected in the 1000 foot minimum radius for
: >turns, the 3% maximum grades, the angle of bank in turns, and a host of
: >other design factors. With modern vehicles and suspensions, the natural
: >limit is even higher.

: 1950's vehicles and 1990's trucks, unless you're planning on banning
: all commercial trucking from the highways. Trucks are dangerously top-
: heavy (especially those with phased CB antennas on the mirrors), and
: are not well-maintained. Allow them higher speeds with today's highways
: and watch the fun. But of course, in this dream of yours, you're not
: going to have a separate speed limit for trucks now, are you?

Different speeds for trucks make no sense at all as the goal of traffic engineering should be to have all traffic flowing within a similar envelope of speeds (i.e. all traffic moving within 5 mph or so of the general flow.

: >Cover the speedometer, and people will drive at the natural speed
: >of the road.

: Then count the bodies along the curves from those who have spun out.

: You live in a dream world, Gary. I've already told you of the sights
: I've witnessed on the highways as a fireman. Do I need to remind you
: what a body looks like after it's gone through a windshield at 80mph,
: flown through the air and then skidded on the pavement 100 feet?

It looks better than a body in a passenger car doing 55 that collided head on with a semi also doing 55. Bottom line...accidents will never be totally eliminated, some people will always abuse the speed limits, but that is no reason to try and force an arbitrarily low speed limit on everyone.

: I invite you to spend a day with your Georgia Highway Patrol, and
: while your riding with them ask them about the highspeed training
: they've received; then ponder the cost of having every driving
: citizen in the US undergo that same highspeed training.

Such highspeed training is designed for pursuit and extenuating circumstances. IMHO...anyone that can't drive today's passenger cars at highway speeds of 70-75mph doesn't deserve to be licensed.

: Let's make a deal: Highspeed driving if, and only if (Halmos: iff)
: highspeed code exams for HF access.

Well, at least this adds some obligatory ham radio content.
I's support a high speed drivers license...but at least that has relavance to the privaledgees that would flow from obtaining such a license.

--

Bill Sohl K2UNK (billsohl@planet.net)
Budd Lake, New Jersey

Date: Tue, 8 Nov 1994 19:59:38 GMT
From: jeffrey@kahuna.tmc.edu (Jeffrey Herman)

References<39dksh\$nld@paperboy.gsfc.nasa.gov> <CyuFKA.JrI@news.Hawaii.Edu>,
<39o5s4\$sr8@gopher.cs.uofs.edu>

Subject: Re: 5wpm in 5days (or your money back!)

In article <39o5s4\$sr8@gopher.cs.uofs.edu> bill@triangle.cs.uofs.edu (Bill Gunshannon) writes:

>So what's your point??

Stop skimming, Bill! The point was that *very* few people are unable to attain 5wpm. Five days might be the lower bound, but I doubt that more than 2 months would be an upper bound.

>And back in the 60's when I was at the Army Radio Operators School (2 of >them as a matter of fact. One at Ft. Dix and the other at Ft. Gordon) I >had a chance to observe a lot of people trying to get up to the roaring >speed of 10 WPM. The failure rate was very high, with many not even >mastering the alphabet, much less working on speed.

Maybe the Army isn't as selective as the Coast Guard with regard to whom they take in for radio school.

Were they draftees? Did they have a good command of the alphabet?

[Flack jacket on]

Jeff NH6IL

Date: 8 Nov 1994 09:51:01 GMT
From: little@iamu.chi.dec.com (Todd Little)

References<1994Nov2.032455.26815@news.csuohio.edu>
<39b9ag\$tk@hpbab.wv.mentorg.COM>, <CSLE87-071194095342@145.39.1.10>
Reply-To: little@iamu.chi.dec.com (Todd Little)
Subject: Re: NoCal 00 goes after Packet BULLetins

In article <CSLE87-071194095342@145.39.1.10>, CSLE87 (Karl Beckman) writes:

|>It's not that difficult a concept, Hank. Internet conversations which are
|>being run over amateur radio are true "broadcasting", exactly as defined by
|>the FCC. Those transmissions are not considered legal by the FCC field
|>officer who generated the opinion quoted in the original (long time back)
|>posting.

Now I've heard everything. First, what does the Internet have to do with

this? Second, if you are talking about running something like IRC or something similar and gatewaying it through packet, how does that constitute "broadcasting"? The stations at both ends of the amateur communication link are amateur stations. They are allowed to transmit third party traffic. As long as the content doesn't violate the restrictions given in Part 97, what's the big deal? Read this definition of broadcasting again.

(10) Broadcasting. Transmissions intended for reception by the general public, either direct or relayed.

Where is the public receiving this transmission? They received some bits out of a wire they are connected to. That is no different than relaying a health and welfare message via telephone. That message's final destination was "the public", but "the public" didn't receive the transmission. They received the information that was contained in the transmission by some other means.

|>The mere fact that an amateur station requested the transmission does not
|>automatically make it legal. Nor does it automatically convert a message
|>posted to "WORLD" on the net into a valid amateur to amateur communication.
|> Remember the recent FCC blurb that holds the operator of the "first
|>posting" entry point station responsible for message content and
|>compliance.

Yes, and that blurb was a result of a message that involved a pecuniary interest, i.e. a money making message as a result of urging you to dial a 900 number.

|>Hank, this is NOT true when you start allowing cross-connection to the
|>general public by using either an internet gateway or even phone dial ports
|>to an amateur BBS. I believe that these are the situations that both the
|>NOCALL OO and Steve are addressing. From your comments it appears that IN
|>THIS NARROW SITUATION (and most certainly NOT the broader general case of
|>ALL amateur packet traffic) you would agree that Steve and the FCC are both
|>correct.

How the content of a message originated is completely and totally irrelevant as long as it is valid third party communication, i.e. in the case of foreign countries, only with a country with a third party agreement. Please cite the regulation that limits the content of third party traffic that makes it illegal to cross-connect to the general public? What do you think a phone patch is????? Or have you now declared all phone patches illegal too?

|>Obviously the first target above is debatable; the second is a case where
|>the rulemaker is being challenged, much like a small mouse antagonizing an
|>elephant. That is probably not a good thing to do unless one wants to be

|>stepped upon and find the transmission of all non-amateur originated
|>broadcast messages prohibited, which is exactly what 97.3 says.

Please stop intertwining broadcasting and third party traffic origination.
They are clearly independent issues. Third party traffic is not necessarily
broadcasting and broadcasting is not necessarily third party traffic. They
are orthogonal to one another.

|>I must side with Steve on the specific narrow case that I presented above.
|>I am afraid that many within the amateur community have greatly over-stated
|>their perceived importance in being part of the Information Superhighway,
|>while the commercial providers feel that we are only a back alley. If the
|>FCC takes away our interchange (both figurative and literal) we will have
|>neither advanced the state of the art or served the public interest.

Who gives a rat's ass about the Information Superhighway? That has
absolutely *nothing* to do the issue. Several posters have somehow tried
to twist this debate around into "packet shouldn't be competing with the
Internet". Why are you doing this?

73,
Todd
N9MWB

End of Ham-Policy Digest V94 #525
